

16. Regardless, in order to moot these expensive proceedings and to stop the distraction of expedited discovery, Liberation has now disclosed those facts (and more).

B. The Supplemental Statement

17. The Supplemental Statement first summarizes this proceeding and informs any interested stockholders that they can download Bally's complaint and Contention Letter -- both of which have been publicly filed with the SEC -- should they want to see those documents for themselves. *See* Exhibit B. Then, following an easy-to-read columnar format, the Supplemental Statement individually quotes *every* allegation raised in the Contention Letter and, where applicable, provides objective facts about Liberation and/or Mr. Pearlman. *Compare* Exhibit A *with* Exhibit B.

18. That disclosure exceeds what is required by law, and is more than sufficient to moot Bally's request for injunctive relief. As this Court has stated: "Once there has been compliance with [the federal securities laws] through a corrective filing, the purpose of the law has been fully served and there is no threat of continuing harm . . . which would justify injunctive relief." *Energy Ventures, Inc. v. The Appalachian Co.*, 587 F.Supp. 734, 743 (D.Del. 1984) (citing *Rondeau v. Mosinee Paper Corp.*, 422 U.S. 49, 59-60 (1975)) (denying a preliminary injunction); *accord City Capital Assocs. Ltd. P'Ship v. Interco, Inc.*, 696 F.Supp. 1551, 1557, 59 (D.Del.), *aff'd* 860 F.2d 60 (3d Cir. 1988) (denying a preliminary injunction where the defendants made supplemental disclosures revealing the existence of the plaintiff's action and summarizing the disclosure allegations); *Sea Containers Ltd. v. Stena AB*, 890 F.2d 1205, 1210-11 (D.C. Cir. 1989) (holding that the annexation of the complaint to a supplemental filing offset